

ASSEMBLY BILL

No. 982

Introduced by Assembly Member Laird

February 18, 2005

An act to amend Section 76355 of the Education Code relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 982, as introduced, Laird. Community college fees.

Under existing law, community college district governing boards are required to adopt regulations exempting from health supervision and services fees all low-income students, including students who demonstrate financial need (1) in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid or (2) according to specified income standards established by the Board of Governors of the California Community Colleges.

This bill would delete the provision requiring that exemption.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 76355 of the Education Code is
- 2 amended to read:
- 3 76355. (a) The governing board of a district maintaining a
- 4 community college may require community college students to
- 5 pay a fee in the total amount of not more than ten dollars (\$10)
- 6 for each semester, seven dollars (\$7) for summer school, seven
- 7 dollars (\$7) for each intersession of at least four weeks, or seven

1 dollars (\$7) for each quarter for health supervision and services,
2 including direct or indirect medical and hospitalization services,
3 or the operation of a student health center or centers, or both.

4 The governing board of each community college district may
5 increase this fee by the same percentage increase as the Implicit
6 Price Deflator for State and Local Government Purchase of
7 Goods and Services. Whenever that calculation produces an
8 increase of one dollar (\$1) above the existing fee, the fee may be
9 increased by one dollar (\$1).

10 (b) If, pursuant to this section, a fee is required, the governing
11 board of the district shall decide the amount of the fee, if any,
12 that a part-time student is required to pay. The governing board
13 may decide whether the fee shall be mandatory or optional.

14 (e) (c) The governing board of a district maintaining a
15 community college shall adopt rules and regulations that exempt
16 the following students from any fee required pursuant to
17 subdivision (a):

18 (1) Students who depend exclusively upon prayer for healing
19 in accordance with the teachings of a bona fide religious sect,
20 denomination, or organization.

21 (2) Students who are attending a community college under an
22 approved apprenticeship training program.

23 ~~(3) Low-income students, including students who demonstrate~~
24 ~~financial need in accordance with the methodology set forth in~~
25 ~~federal law or regulation for determining the expected family~~
26 ~~contribution of students seeking financial aid and students who~~
27 ~~demonstrate eligibility according to income standards established~~
28 ~~by the board of governors and contained in Section 58620 of~~
29 ~~Title 5 of the California Code of Regulations.~~

30 (d) All fees collected pursuant to this section shall be
31 deposited in the fund of the district designated by the California
32 Community Colleges Budget and Accounting Manual. These
33 fees shall be expended only to provide health services as
34 specified in regulations adopted by the board of governors.

35 Authorized expenditures shall not include, among other things,
36 athletic trainers' salaries, athletic insurance, medical supplies for
37 athletics, physical examinations for intercollegiate athletics,
38 ambulance services, the salaries of health professionals for
39 athletic events, any deductible portion of accident claims filed for
40 athletic team members, or any other expense that is not available

1 to all students. No student shall be denied a service supported by
2 student health fees on account of participation in athletic
3 programs.

4 (e) Any community college district that provided health
5 services in the 1986–87 fiscal year shall maintain health services,
6 at the level provided during the 1986–87 fiscal year, and each
7 fiscal year thereafter. If the cost to maintain that level of service
8 exceeds the limits specified in subdivision (a), the excess cost
9 shall be borne by the district.

10 (f) A district that begins charging a health fee may use funds
11 for startup costs from other district funds and may recover all or
12 part of those funds from health fees collected within the first five
13 years following the commencement of charging the fee.

14 (g) The board of governors shall adopt regulations that
15 generally describe the types of health services included in the
16 health service program.